

**Question for written answer E-003934/2014  
to the Commission**

Rule 117

**Raül Romeva i Rueda (Verts/ALE) and Franziska Keller (Verts/ALE)**

Subject: German interim report on unemployed migrants from EU Member States

On 26 March, the German Government published an interim government report considering limiting the right of unemployed migrants from other EU Member States to remain in Germany and tightening access to welfare benefits and services.

The interior minister said that problems of EU internal migration were 'manageable at a national level but of concern regionally', referring to the concentration of poor jobless immigrants in some cities. The German debate on free movement was spurred by the fact that Romanians and Bulgarians obtained full movement rights on 1 January 2014.

Although the report does not provide any evidence of 'welfare abuse', it proposes to impose re-entry bans on migrants 'abusing' freedom of movement. In addition, it proposes in particular to limit the stay of migrants if they are in Germany for purposes of seeking a job. The German Government also wants to crack down on immigrants claiming child benefits, inter alia by requiring a tax registration number.

As stated by the Commission in its answer to Written Question E-000356/2014, Article 45 TFEU guarantees the right to free movement for all EU workers without conditions, whereas Article 21 TFEU confers such a right to non-active EU citizens subject only to certain limitations. Article 7 of Directive 2004/38 specifies that, to have the right to reside for longer than three months in another Member State, non-active EU citizens must have comprehensive health insurance and sufficient financial resources not to become a burden on the host Member State's social assistance system. Jobseekers can reside for up to six months without conditions and possibly longer if they show that they have a genuine chance of finding a job.

1. Does the Commission consider the proposals to limit free movement by the German Government to be in line with EU law? In particular, would it be proportionate to impose re-entry bans on persons unlawfully claiming social benefits?
2. Would the proposed limitations on child benefit and on the length of stay of jobseekers be in accordance with EU law?
3. How will the Commission make sure that Germany, when implementing these proposals or other policies related to free movement, is in full compliance with EU law?